	Application No.	Applicant(s)
Notice of Allowability	10/087,118	BARRIE ET AL.
	Examiner	Art Unit	
	Steven B. Theriault	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *12/13/2006*.

2. ☒ The allowed claim(s) is/are *43-68 and 70*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

    Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

Applicant's Response

1.   In Applicant's Response dated December 13, 2006, Applicant's amendment in combination with

the arguments filed 11/06/2006 are persuasive.

All other objections and rejections previously set forth are withdrawn.

Allowable Subject Matter

2.   Claims 43-68 and 70 are allowed.

3.   The following is an examiner's statement of reasons for allowance

Claim 43

        The closest prior art is Plagiserve et al. teaches an online plagiarism detection service

that allows a user to submit a document to be checked (See page 25). The system then

compares the document to a database of documents and presents report to the user. Plagiserve

attempts to solve the problem in the art of plagiarism detection by ensuring that documents on the

Internet are not copied by students.

        Plagiserve solves the problem by allowing instructors to submit a given students paper

and then receives a report where the information is color coded and when the user places a

cursor over the hyperlinked information a percentage of match is shown (See page 3). The prior

art of Plagiserve does not teach or suggest the limitations of presenting to the user two modes on

the interface where one of the modes provides a review option permitting the user to markup the

paper. Further, Plagiserve does not teach that the comparison method uses fingerprinting to

check for the originality of a document and comparing fingerprints to stored fingerprints in a

database. Additionally, Plagiserve does not teach a peer review application that has defined rules

for reviewing uploaded papers where the rules comprise standards for review comprising

questions and rubrics provided by a sponsor as recited in the amended claims.

The prior art of Carden a hosted publishing system that accepts manuscripts, or graphics or media from authors for review prior to publication within a society or with a given publisher. (Carden Figure 6 and 7 and page 11, lines 22-35 and page 12, lines 1-25). Carden teaches the process of editors sending review instructions to the reviewers that are either in a stock or computer driven format or customized by the editor, which can be considered pre-defined rules. Additionally, Carden teaches the reviewers use a client-approved score sheet for completing the reviews which is stored in the system and subsequently published to the author (Carden page 2, lines 1-34 and page 27, lines 12-34 and page 28, lines 29-34). Carden does not teach a originality checking option mode on the interface and the process of obtaining a fingerprint of a document and comparing the fingerprint and the full text of a document to a database of fingerprints and documents for the purposes of generating an originality report that highlights matched portions of a document and that provides a similarity index ranking along with the possible matches on the interface. While the process of Carden does teach a peer review system and a process of an Editor in Chief sending a rule set for which a peer reviewer will review a given document, the process of Carden accepts a documents originality based on the author' statement and there is no suggestion in Carden that checking a document for originality occurs.

The prior art of Brin et al. (See NPL submitted 06/05/2006) teaches a system for registering documents and then detecting complete or partial copies of the document. Brin teaches a chunking strategy based on a set of rules where sentences are broken into pieces and then checked against a repository for plagiarism (See page 399, column 1, bottom). Brin teaches that the detection mechanism can be used for variety of ways (See Page 399. Column 2, Middle). Brin attempts to solve a problem in that art of allowing users to access a wide variety of libraries and sources of information to review topics but also providing security for information providers that the information will not be copied.

Brin solves the problem in the art by registering each document and then utilizing a comparison test where the entire or partial section of a document can be checked for a violation or copy value. Although Brin teaches a method for determining a documents source and

originality, Brin does not teach fingerprinting a document or determining from a set of documents that were fingerprinted the originality index. Brin also does teach an interface where the user determines which of the two modes to use and a process including a peer review process that allows the system or user to enter rules for performing the peer review and rubrics provided by the sponsor and an originality report along with an originality index as recited in the claims

The prior art of EduTie et al teaches an online plagiarism detection system. The system of EduTie shows an originality report with an index showing the percentage of match see page 5 and a color coded scheme that shows the match to a given document. EduTie does not show or suggest a peer review process that has defined rules for reviewing uploaded papers where the rules comprise standards for review comprising questions and rubrics provided by a sponsor. EduTie also does not teach that the comparison is made of uploaded documents to a full text of all possible matches where the matches are identified by comparing fingerprints of the uploaded papers as recited in the amended claims.

The prior art of Pugh et al. teaches a duplicate document detection technique that assigns fingerprints to a given document by extracting parts of document and assigning the parts to a list and then assigning the list a given fingerprint. Pugh teaches that near duplicate document checking cab used for plagiarism detection programs (See column 1, lines 20-30). Pugh teaches that web crawling applications and search engines can accept input and provide a result to the user showing the page rank of a given matched document based on fingerprints (See column 7, lines, 25-67). Pugh teaches a browser interface in a plagiarism-checking mode (See column 18, lines 25-55 and Figure 13) but does not teach a peer review process that has defined rules for reviewing uploaded papers where the rules comprise standards for review comprising questions and rubrics provided by a sponsor and where a review comprises the completion of standards for review by a user as provided by a sponsor as recited in the amended claims.

Therefore, when the claim is taken as a whole, and considering the prior art listed above, The prior art of Plagiserve, EduTie, or Brin do not teach or suggest either alone or in combination a peer review process along with a process of using fingerprints to check for document originality.

Carden teaches a peer review process but does not teach or suggest a process for checking document originality or for generating a report that highlights the fingerprinted portions of an uploaded document that match the portions of other documents identified by the system that comprises a level of duplication comprising a similarity index ranking and a process of displaying the matches and the ranking together on the originality report. Pugh teaches a fingerprinting mechanism where documents are fingerprinted and stored in a database. However, Pugh does not teach a peer review process and does not teach the generation of an originality report that is displayed with the level of similarity and all of the possible matches to the fingerprinted documents. When taken as a whole or in combination the prior art does not teach or suggest to the skilled artisan that the combination of features as recited in the amended claims could be brought together to achieve all of the limitations of the claim and therefore claim 43 is allowed.

Claims 44-68 and 70:

    These claims are dependent upon Claim 43 and are thus allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. Theriault whose telephone number is (571) 272-5867. The examiner can normally be reached on M-F 7:30 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system,

see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SBT

WEILUN LO
SUPERVISORY PATENT EXAMINER